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EXAMINER
NGUYEN, THUONG

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	09/945,188	CORNELIUS ET AL.
	Examiner	**Art Unit**	
	Thuong (Tina) T. Nguyen	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>21 March 2007</u>.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-29</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-29</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>2/23/07</u>.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to the amendment filed on 3/21/07. Claims 1, 3, 5-9,

11, 17, 20, & 22-23 were amended. Claim 23 is added. Claims 1-29 are pending and

represent method and system for remotely managing a data processing system via a

communications network.

Claim Rejections - 35 USC § 101

2.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of
> matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the
> conditions and requirements of this title.

3.   Claims 7-16 are rejected under 35 U.S.C. 101 because the claimed invention is

directed to non-statutory subject matter, the claimed invention lacks of tangible result in

a physical transformation nor does it appear to provide a useful, concrete and tangible

result, and the disclosed invention is inoperative and therefore lacks utility.

In State Street, the Federal Circuit examined some of its prior section 101 cases,

observing that the claimed inventions in those cases were each for a "practical

application of an abstract idea" because the elements of the invention operated to

produce a "useful, concrete and tangible result." State Street, 149 F.3d at 1373-74, 47

USPQ2d at 1601-02. For example, the court in State Street noted that the claimed

invention in Alappat "constituted a practical application of an abstract idea (a

mathematical algorithm, formula, or calculation), because it produced 'a useful, concrete

and tangible result'—the smooth waveform." Id. Similarly, the claimed invention in

Arrhythmia "constituted a practical application of an abstract idea (a mathematical

algorithm, formula, or calculation), because it corresponded to a useful, concrete and

tangible thing—the condition of a patient's heart." Id.

In determining whether the claim is for a "practical application," the focus is not

on whether the steps taken to achieve a particular result are useful, tangible and

concrete, but rather that the final result is "useful, tangible and concrete." The Federal

Circuit further ruled that it is of little relevance whether a claim is directed to a machine

or process for the purpose of a § 101 analysis. AT&T, 172 F.3d at 1358, 50 USPQ2d at

1451.

A claim limited to a machine or manufacture, which has a practical application, is

statutory. In most cases, a claim to a specific machine or manufacture will have a

practical application. See Alappat, 33 F.3d at 1544, 31 USPQ2d at 1557 ("the claimed

invention as a whole is directed to a combination of interrelated elements which

combine to form a machine for converting discrete waveform data samples into anti-

aliased pixel illumination intensity data to be displayed on a display means. This is not a

disembodied mathematical concept which may be characterized as an 'abstract idea,'

but rather a specific machine to produce a useful, concrete, and tangible result."); and

State Street, 149 F.3d at 1373-74, 47 USPQ2d at 1601-02 ("the transformation of data,

representing discrete dollar amounts, by a machine through a series of mathematical

calculations into a final share price, constitutes a practical application of a mathematical

algorithm, formula, or calculation, because it produces 'a useful, concrete and tangible

result' – a final share price momentarily fixed for recording and reporting purposes and

even accepted and relied upon by regulatory authorities and in subsequent trades.").

Also see AT&T, 172 F.3d at 1358, 50 USPQ2d at 1452 (Claims drawn to a long-

distance telephone billing process containing mathematical algorithms were held

patentable subject matter because the process used the algorithm to produce a useful,

concrete, tangible result without preempting other uses of the mathematical principle.)

It's still unclear to the examiner what would be the result of this claim limitation? What

would be the result after "determined whether the received technical parameter

data..."? Therefore, the examiner still remains the 101 rejection.

Claim Rejections - 35 USC § 112

4.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of
> making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the
> art to which it pertains, or with which it is most nearly connected, to make and use the same and shall
> set forth the best mode contemplated by the inventor of carrying out his invention.

5.   Claim 29 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply

with the enablement requirement. The claim(s) contains subject matter which was not

described in the specification in such a way as to enable one skilled in the art to which it

pertains, or with which it is most nearly connected, to make and/or use the invention.

Examiner could not find any where in the specification support the claim limitation

"revising the remote data processing system should determining indicates that the

report data message does not comply with the retrieved reference technical parameter

data".

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

7.   Claims 1-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Raverdy, Patent No. 2002/0068631 in view of Kavounis, Patent No. 2002/0116213 A1.

Raverdy teaches the invention substantially as claimed including system and

method to support gaming in an electronic network (see abstract).

8.   As to claim 1, Raverdy teaches a method for managing a remote data processing

system comprising:

communicating with a remote data processing system associated with a trading

partner on at least one technical parameter of the remote data processing system (page

4, paragraph 52 & 58; Raverdy discloses that the method of transferring ownership or

certified between trading participants to update or download the appropriate software

versions or determined the current version for an updating services), wherein the at

least one technical parameter includes information related to operation characteristics of

any one of the remote data processing system, the communications network and a base

data processing system in communication with the remote data processing system via

the communication network (page 3, paragraph 43 – page 4, paragraph 48; Raverdy

discloses that the method of providing the communication network information such as

user device, bi-directionally communication of the communication network and an I/O

interface between system);

to coordinate the management of the at least one technical parameter for trading

partners within a trading group (page 8, paragraph 100; Raverdy discloses that the

method of determined whether appropriate versions of encryption software are currently

installed to support the transfer procedure between the trading partners).

But Raverdy failed to teach the claim limitation wherein receiving a report

message on the at least one technical parameter via the communications network; and

interpreting the report message for presentation on a user interface.

However, Kavounis teaches system and method for viewing supply chain

network metrics (see abstract). Kavounis teaches the limitation wherein receiving a

report message on the at least one technical parameter via the communications

network (page 1, paragraph 5-9; page 2, paragraph 30; page 6, paragraph 82-83); and

interpreting the report message for presentation on a user interface (page 1, paragraph

7-9; page 2, paragraph 30; page 6, paragraph 82-83; page 7, paragraph 84).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Raverdy in view of Kavounis so that the system would provides or

sending an immediate report of the technical parameter for the system. One would be

motivated to do so to improve the speed and provide a more effective way to present

the report reflect more of the technical parameter.

9.   As to claim 2, Raverdy and Kavounis teach the method as recited in claim 1

wherein the communicating comprises polling a remote business-to-business server as

the remote data processing system to obtain the at least one technical parameter

concerning an operational status of at least one of software and hardware of the remote

business-to-business server (page 6, paragraph 73-74; Raverdy discloses that the

method of providing the appropriate configuration information to the particular user

device corresponding the user profile).

10.   As to claim 3, Raverdy and Kavounis teach the method as recited in claim 1

wherein the communicating comprises polling a remote business-to-business server at

the remote data processing system to obtain the at least one technical parameter of at

least one of software and hardware of the remote business-to-business server (page 6,

paragraph 73-74; Raverdy discloses that the method of providing the appropriate

configuration information to the particular user device corresponding the user profile).

11.   As to claim 4, Raverdy and Kavounis teach the method as recited in claim 1. But

Raverdy failed to teach the claim limitation wherein presenting the report message on

the user interface for review.

However, Kavounis teaches the limitation wherein presenting the report message

on the user interface for review (figure 2).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Raverdy in view of Kavounis so that generating and displaying the

report to the user through the user interface. One would be motivated to do so to

provide the user the report, which satisfied the user defined.

12.   As to claim 5, Raverdy and Kavounis teach the method as recited in claim 1

wherein the at least one technical parameter is selected from the group consisting of:

hardware configuration of the remote data processing system, hardware

configuration of the base data processing system, software configuration of the remote

data processing system, software configuration of the base data processing system, an

installed version of a remote software module, an installed version of a base software

module, an installed type of remote software module, an installed type of base software

module, operational status data, performance metric data on performance of the remote

data processing system, and performance metric data on performance of the base data

processing system (page 1, paragraph 15; page 2, paragraph 16; Raverdy discloses

that the method of determined the appropriate software version to install to particular

user).

13.   As to claim 6, Raverdy and Kavounis teach the method as recited in claim 1

wherein the at least one technical parameter comprises operational status data of at

least one of the remote data processing system, the base data processing system, and

the communications network (figure 1; page 2, paragraph 32; Raverdy discloses that

the method of present the wireless telecommunication device configuration.to a user

devices).

14.   As to claim 7, Raverdy teaches a method for managing a remote data processing

comprising:

    wherein the technical parameter data includes information related to operation

characteristics of any one of the remote data processing system, the communications

network and a base data processing system in communication with the remote data

processing system via the communications network (page 3, paragraph 43 – page 4,

paragraph 48; Raverdy discloses that the method of providing the communication

network information such as user device, bi-directionally communication of the

communication network and an I/O interface between system)

retrieving reference technical parameter data from a reference parameters

storage based on the report message (page 2, paragraph 16; Raverdy discloses that

the method of determined if the security provisions are not adequate for completing,

transferring procedure to determined if the user has appropriate encryption software,

which means the system has to retrieve the information stored in the server to

determined that condition); and

determining whether the received technical parameter data of the report data

message complies with the retrieved reference technical parameter data (page 8,

paragraph 100; Raverdy discloses that the method of determined whether appropriate

versions of encryption software are currently installed to support the transfer procedure

between the trading partners).

But Raverdy failed to teach the claim limitation wherein receiving on a monitor a

report message containing technical parameter data on a remote data processing

system via the communications network.

However, Kavounis teaches the limitation wherein receiving on a monitor a report

message containing technical parameter data on a remote data processing system via

the communications network (page 1, paragraph 7-9; page 2, paragraph 30; page 6,

paragraph 82-83; page 7, paragraph 84).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Raverdy in view of Kavounis so that the system would provides or

sending an immediate report of the technical parameter for the system. One would be

motivated to do so to improve the speed and provide a more effective way to present

the report reflect more of the technical parameter.

15.   As to claim 8, Raverdy and Kavounis teach the method as recited in claim 7

wherein polling a second remote data processing system that is associated with a

trading partner on the technical parameter data of the remote data processing system

(page 6, paragraph 73-74; Raverdy discloses that the method of providing the

appropriate configuration information to the particular user device corresponding the

user profile).

16.   As to claim 9, Raverdy and Kavounis teach the method as recited in claim 7

wherein sending a revision to the remote data processing system if at least one

software component of the remote data processing system is noncompliant with the

reference technical parameter data (page 6, paragraph 73-74; Raverdy discloses that

the method of uploading an appropriate software version or encryption to the system).

17.   As to claim 10, Raverdy and Kavounis teach the method as recited in claim 7

wherein sending an upgrade software module to the remote data processing system if

the same types of software modules are not specified in the reference technical

parameter data and the received technical parameter data (page 6, paragraph 73-74;

Raverdy discloses that the method of upgrading or updating the appropriate software

version or encryption to the system).

18.   As to claim 11, Raverdy and Kavounis teach the method as recited in claim 10

wherein installing the upgrade software module after receipt of confirmation that a

requisite hardware upgrade for supporting the upgrade software module has been

successfully completed (page 6, paragraph 73-74; Raverdy discloses that the method of

installing an appropriate software version of encryption to the system).

19.   As to claim 12, Raverdy and Kavounis teach the method as recited in claim 7

wherein delaying a transmission of a revision to the remote data processing system if

the same software components are not specified in the reference technical parameter

data and the received technical parameter data and if the remote data processing

system requires a hardware upgrade to support the revision (page 4, paragraph 52;

page 5, paragraph 61; Raverdy discloses that the method of determined if the software

application is outdated and if the software in the system is the right version and will

proceed the procedure accordingly).

20.   As to claim 13, Raverdy and Kavounis teach the method as recited in claim 7

wherein sending a desired version of an upgrade software module to the remote data

processing system if the same versions of software modules are not specified in the

reference technical parameter data and the received technical parameter data (page 6,

paragraph 73-74; Raverdy discloses that the method of upgrading or updating the

appropriate software version or encryption to the system).

21.   As to claim 14, Raverdy and Kavounis teach the method as recited in claim 13

wherein installing the desired version of the upgrade software module after receipt of

confirmation that a requisite hardware upgrade for supporting the desired version of the

upgrade software module has been successfully completed (page 6, paragraph 73-74;

Raverdy discloses that the method of installing an appropriate software version of

encryption to the system).

22.   As to claim 15, Raverdy and Kavounis teach the method as recited in claim 7

wherein delaying a transmission of a desired version of an upgrade software module to

the remote data processing system if the same versions of software modules are not

specified in the reference technical parameter data and the received technical

parameter data and if the remote data processing system requires a hardware upgrade

to support the desired version of the upgrade software module (page 4, paragraph 52;

page 5, paragraph 61; Raverdy discloses that the method of determined if the software

application is outdated and if the software in the system is the right version and will

proceed the procedure accordingly).

23.   As to claim 16, Raverdy and Kavounis teach the method as recited in claim 7

wherein revising the reference parameters storage such that a reference configuration

is defined by the technical parameter data and includes a new feature for installation at

the remote data processing system (page 5, paragraph 60 & 68; Raverdy discloses that

the method of determined the appropriate technical parameter from the user profile and

upload or download the various types of information accordingly).

24.   As to claim 17, Raverdy teaches a system for managing a remote data

processing system comprising:

         a managing communications interface for supporting communication with a

remote data processing system associated with a trading partner on at least one

technical parameter of the remote data processing system (page 4, paragraph 52 & 58;

Raverdy discloses that the system of transferring ownership or certified between trading

participants to update or download the appropriate software versions or determined the

current version for an updating services), wherein the technical parameter data includes

information related to operation characteristics of any one of the remote data processing

system, the communications network and a base data processing system in

communication with the remote data processing system via the communications

network (page 3, paragraph 43 – page 4, paragraph 48; Raverdy discloses that the

method of providing the communication network information such as user device, bi-

directionally communication of the communication network and an I/O interface between

system).

But Raverdy failed to teach the claim limitation wherein a monitor for receiving a

report message on the at least one technical parameter via the communications

network; and an interpreter for interpreting the report message for presentation on a

user interface.

However, Kavounis teaches the limitation wherein a monitor for receiving a report

message on the at least one technical parameter via the communications network (page

1, paragraph 5-9; page 2, paragraph 30; page 6, paragraph 82-83); and an interpreter

for interpreting the report message for presentation on a user interface (page 1,

paragraph 7-9; page 2, paragraph 30; page 6, paragraph 82-83; page 7, paragraph 84).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Raverdy in view of Kavounis so that the system would provides or

sending an immediate report of the technical parameter for the system. One would be

motivated to do so to improve the speed and provide a more effective way to present

the report reflect more of the technical parameter.

25.   As to claim 18, Raverdy and Kavounis teach the system as recited in claim 17

wherein the remote data processing system comprises a remote business-to-business

server (page 6, paragraph 73-74; Raverdy discloses that the system of providing the

appropriate configuration information to the particular user device corresponding the

user profile).

26.   As to claim 19, Raverdy and Kavounis teach the system as recited in claim 17.

But Raverdy failed to teach the claim limitation wherein a presentation module for

preparing a presentation of the report message on the user interface for review.

However, Kavounis teaches the limitation wherein a presentation module for

preparing a presentation of the report message on the user interface for review (page 3,

paragraph 36; page 6, paragraph 82-83).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Raverdy in view of Kavounis so that the system would present the

user with a more customized report, which presents the technical parameter for the

system. One would be motivated to do so to provide user with a clear and more depth

report to the user.

27.   As to claim 20, Raverdy and Kavounis teach the system as recited in claim 17

wherein the at least one technical parameters is selected from the group consisting of:

hardware configuration of the remote data processing system, hardware

configuration of the base data processing system, software configuration of the remote

data processing system, software configuration of the base data processing system, an

installed version of a remote software module, an installed version of a base software

module, an installed type of remote software module, an installed type of base software

module, operational status data, performance metric data on performance of the remote

data processing system, and performance metric data on performance of the base data

processing system (page 1, paragraph 15; page 2, paragraph 16; Raverdy discloses

that the system of determined the appropriate software version to install to particular

user).

28.   As to claim 21, Raverdy and Kavounis teach the system as recited in claim 17.

But Raverdy failed to teach the claim limitation wherein the at least one technical

parameter comprises operational status data.

However, Kavounis teaches the limitation wherein the at least one technical

parameter comprises operational status data (page 1, paragraph 5-7).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Raverdy in view of Kavounis so that provide a report which let the

trader to be able to collaboration of network activities. One would be motivated to do so

to provides significant business value and high returns on investment based on the

clear measure of the metric performance.

29.   As to claim 22, Raverdy teaches a system for managing a remote data

processing system comprising:

wherein the technical parameter data includes information related to operation

characteristics of any one of the remote data processing system, the communications

network and a base data processing system in communication with the remote data

processing system via the communications network (page 3, paragraph 43 – page 4,

paragraph 48; Raverdy discloses that the method of providing the communication

network information such as user device, bi-directionally communication of the

communication network and an I/O interface between system)

a data manager for retrieving reference technical parameter data from a

reference parameters storage (page 2, paragraph 16; Raverdy discloses that the

system of determined if the security provisions are not adequate for completing,

transferring procedure to determined if the user has appropriate encryption software,

which means the system has to retrieve the information stored in the server to

determined that condition); and

a data processor for determining whether the received technical parameter data

of the report data message complies with the retrieved reference technical parameter

data (page 8, paragraph 100; Raverdy discloses that the system of determined whether

appropriate versions of encryption software are currently installed to support the transfer

procedure between the trading partners).

But Raverdy failed to teach the claim limitation wherein a monitor for receiving a

report message on at least one technical parameter of a remote data processing system

via the communications network.

However, Kavounis teaches the limitation wherein a monitor for receiving a report

message on at least one technical parameter of a remote data processing system via

the communications network (page 1, paragraph 5-9; page 2, paragraph 30; page 6,

paragraph 82-83; page 7, paragraph 84).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Raverdy in view of Kavounis so that the system would provides or

sending an immediate report of the technical parameter for the system. One would be

motivated to do so to improve the speed and provide a more effective way to present

the report reflect more of the technical parameter.

30.   As to claim 23, Raverdy and Kavounis teach the system as recited in claim 22

wherein a base communications interface adapted to poll the remote data processing

system associated with a trading partner on the at least one technical parameter of the

remote data processing system (page 6, paragraph 73-74; Raverdy discloses that the

system of providing the appropriate configuration information to the particular user

device corresponding the user profile).

31.   As to claim 24, Raverdy and Kavounis teach the system as recited in claim 22

wherein a managing communications interface for sending a revision to the remote data

processing system if the data processor determined that the same software modules

are not specified in the reference technical parameter data and the received technical

parameter data (page 6, paragraph 73-74; Raverdy discloses that the system of

uploading an appropriate software version or encryption to the system).

32.   As to claim 25, Raverdy and Kavounis teach the system as recited in claim 22

wherein a managing communications interface for sending a revision to the remote data

processing system if the data processor determined that the same software type of

software modules are not specified in the reference technical parameter data and the

received technical parameter data (page 6, paragraph 73-74; Raverdy discloses that the

system of upgrading or updating the appropriate software version or encryption to the

system.

33.   As to claim 26, Raverdy and Kavounis teach the system as recited in claim 22

wherein a managing communications interface for sending a revision to the remote data

processing system if the data processor determined that the same version of software

modules are not specified in the reference technical parameter data and the received

technical parameter data (page 6, paragraph 73-74; Raverdy discloses that the system

of upgrading or updating the appropriate software version or encryption to the system.

34.   As to claim 27, Raverdy and Kavounis teach the system as recited in claim 22

wherein the data processor is coupled to a storage device, the storage device including

at least one of a reference parameters storage, a received parameters storage, and an

upgrade module storage for storing upgrade software modules (page 6, paragraph 73-

74; Raverdy discloses that the system of updating or upgrading version software or

encryption for the particular software for the users).

35.   As to claim 28, Raverdy and Kavounis teach the system as recited in claim 22

wherein the data manager and a user interface support a user's revision of reference

parameters of the reference parameters storage to add, delete, or modify at least one

software feature of the remote data processing system (figure 3 & 6).

36.   Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Raverdy, Patent No. 2002/0068631 A1 in view of Kavounis, Patent No. 2002/0116213

A1 and further in view of Kidder, Patent No. 6,455, 774 B1.

Raverdy teaches the invention substantially as claimed including system and

method to support gaming in an electronic network (see abstract).

37.   As to claim 29, Raverdy and Kavounis teach the system as recited in claim 7,

comprising:

revising the remote data processing system should the determining indicates that

the report data message does not comply with the retrieved reference technical

parameter data (page 5, paragraph 60 & 68; Raverdy discloses that the display of

determined the appropriate technical parameter from the user profile and upload or

download the various types of information accordingly).

But Raverdy and Kavounis failed to teach the claim limitation wherein displaying

on a monitor confirmation that the revising has been completed.

However, Kidder teaches system for automated workflow in a network

management and operations system (see abstract). Kidder teaches the limitation

wherein displaying on a monitor confirmation that the revising has been completed (col

12, lines 28-50).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify the combination of Raverdy and Kavounis in view of Kidder so that

monitor the activities. One would be motivated to do so to be able to resolve the

problems and received the confirmation once the processes completed.

Response to Arguments

Applicant's arguments filed 3/21/07 have been fully considered but they are not

persuasive. In response to Applicant's argument, the Patent Office maintains the

rejection. In the remarks, the applicant argues in substance that; A) Kavounis does not

teach or disclose receiving or interpreting report messages regarding a technical

parameter of a remote data processing system; B) Raverdy fails to disclose installing an

upgrade software module after receipt of confirmation that a requisite hardware upgrade

has been successfully completed; C) Raverdy fails to disclose delaying transmission of

a revision to the remote data processing system; D) Raverdy fails to disclose revising a

reference parameters storage.

In response to A); Applicants argue that Kavounis does not teach receiving or

interpreting report messages regarding a technical parameter of a remote data

processing system. In response to Applicant's argument, the Patent Office maintains

the rejection because Kavounis does teach receiving or interpreting report messages

regarding a technical parameter of a remote data processing system (figure 2 & 4; page

1, paragraph 7-9; page 2, paragraph 30; page 6, paragraph 82-83; page 7, paragraph

84; Kavounis discloses that the method of analyzing data from various sources and

generating report which includes the information such as result, criteria and general

information). Moreover, Kavounis discloses the method of collaboration of network

activities such as planning, execution and performance measures and metrics.

Therefore, Kavounis meets the claim limitation.

In response to B); Applicants argue that Raverdy does not teach installing an

upgrade software module after receipt of confirmation that a requisite hardware upgrade

has been successfully completed. In response to Applicant's argument, the Patent

Office maintains the rejection because Raverdy does teach installing an upgrade

software module after receipt of confirmation that a requisite hardware upgrade has

been successfully completed (page 4, paragraph 52; page 6, paragraph 73-74; Raverdy

discloses that the method of installing an appropriate software version of encryption to

the system). Moreover, Raverdy discloses the method of installing appropriate

application software and other software for use at a particular event or location.

Therefore, Raverdy meets the claim limitation.

In response to C); Applicants argue that Raverdy does not teach delaying

transmission of a revision to the remote data processing system. In response to

Applicant's argument, the Patent Office maintains the rejection because Raverdy does

teach delaying transmission of a revision to the remote data processing system (page 4,

paragraph 52; page 5, paragraph 61; Raverdy discloses that the method of determined

if the software application is outdated and if the software in the system is the right

version and will proceed the procedure accordingly). Raverdy discloses that the

method of determined if the software application is outdated. Therefore, it's obvious to

see the delaying in the transmission of revision.

In response to D); Applicants argue that Raverdy does not teach revising a

reference parameters storage. In response to Applicant's argument, the Patent Office

maintains the rejection because Raverdy does teach revising a reference parameters

storage (page 5, paragraph 60 & 68; Raverdy discloses that the method of determined

the appropriate technical parameter from the user profile and upload or download the

various types of information accordingly). Revising means to prepare, reconsider or

modify. Therefore, Raverdy meets the claim limitation.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy

as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

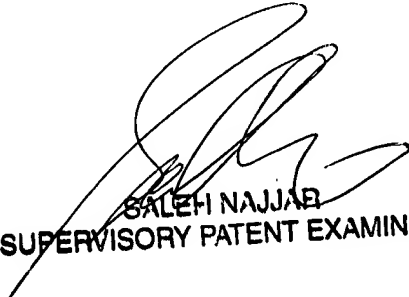than SIX MONTHS from the mailing date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Thuong (Tina) Nguyen whose telephone number is 571-

272-3864, and the fax number is 571-273-3864. The examiner can normally be

reached on 8:00 AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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SALEH NAJJAR
SUPERVISORY PATENT EXAMINER